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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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FEB 26 2010

COMMISSIONERS

KRISTIN K. MAYES - Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

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AZ CORP COMMISSION
DOCKET CONTROL

DOCKETED BY

[Signature]

IN THE MATTER OF:

DOCKET NO. S-20709A-09-0524

MJG ENTERPRISES, INC., doing business as
Mike's Lock Club, an Arizona corporation;

ANTHONY BOSCARINO (a/k/a Mike Brown and
Anthony Kokas), a married man;

MARGUERITE JEANE GERHART (a/k/a
Marguerite Boscarino) a married woman;

RESPONDENTS.

THIRD
PROCEDURAL ORDER
(Schedules a Hearing)

BY THE COMMISSION:

On November 16, 2009, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing ("Notice") against MJG Enterprises, Inc. ("MJG"), Anthony Boscarino (a/k/a Mike Brown and Anthony Kakas) and Marguerite Jeane Gearhart (a/k/a Marguerite Boscarino) (collectively "Respondents") in which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection with the offer and sale of securities in the form of investment contracts.

The Respondents were duly served with copies of the Notice.

On November 18, 2009, a request for hearing was filed by Respondents.

On December 3, 2009, by Procedural Order, a pre-hearing conference was scheduled on January 7, 2010.

On January 7, 2010, the Division and Respondents appeared through counsel. The parties are discussing a possible settlement of the proceeding and agreed that a status conference be scheduled in approximately 45 days.

On January 8, 2010, by Procedural Order, a status conference was scheduled on February 25, 2010.

1 On February 25, 2010, the parties appeared through counsel. Although the parties are
2 discussing a resolution of the proceeding, the Division requested that a hearing be scheduled in
3 September in order to accommodate scheduling conflicts.

4 Accordingly, a hearing should be scheduled.

5 IT IS THEREFORE ORDERED that a **hearing** shall commence on **September 13, 2010, at**
6 **10:00 a.m.**, at the Commission's offices, 1200 West Washington Street, Hearing Room 1, Phoenix,
7 Arizona.

8 IT IS FURTHER ORDERED that the parties shall also reserve **September 14, 15, 16 and 17,**
9 **2010, for additional days of hearing, if necessary.**

10 IT IS FURTHER ORDERED that the parties shall exchange copies of their **Exhibits** and their
11 **Witness Lists on August 5, 2010**, with courtesy copies provided to the presiding Administrative Law
12 Judge.

13 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized
14 Communications) applies to this proceeding as the matter is now set for public hearing.

15 IT IS FURTHER ORDERED that withdrawal or representation must be made in compliance
16 with A.A.C. R14-3-104(E) and Rule 1.16 of the Rules of Professional Conduct (under Rule 42 of the
17 Rules of the Arizona Supreme Court). Representation before the Commission includes appearances
18 at all hearings and procedural conferences, as well as all Open Meetings for which the matter is
19 scheduled for discussion, unless counsel has previously been granted permission to withdraw by the
20 Administrative Law Judge or the Commission.

21 IT IS FURTHER ORDERED that all parties must comply with Rules 31 and 38 of the Rules
22 of the Arizona Supreme Court and A.R.S. § 40-243 with respect to practice of law and admission
23 *pro hac vice*.

24 ...

25 ...


26 ...

27 ...

28 ...

1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3 DATED this 26th day of February, 2010.


4
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6 
7 MARC E. STERN
ADMINISTRATIVE LAW JUDGE

8 Copies of the foregoing mailed/delivered
9 this 26th day of February, 2010 to:

10 Robert D. Mitchell
11 Julie M. Beauregard
12 Sarah K. Deutsch
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Attorneys for Respondents

13 Matt Neubert, Director
14 Securities Division
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15 Phoenix, AZ 85007

16 ARIZONA REPORTING SERVICE, INC.
2200 North Central Avenue, Suite 502
17 Phoenix, AZ 85004

18 By: 
19 Debra Broyles
20 Secretary to Marc E. Stern